

## SPLITTING HAIRS.

Senate Kicking on Confirming Hawaiian Commissioners.

## HOAR LEADS THE ASSAULT.

Claiming that their acts would be passed upon by themselves—a sweeping protest against the practice of appointing members of the Senate upon any commission—Legal and Technical Phases of the subject—The President's Position—Able Championed—Important Actions of Congress—Passage of Anti-Scalpers Bill by the House.

WASHINGTON, Dec. 7.—The senate had a long debate in executive session to-day upon the subject of confirmation of the Hawaiian commissioners. The debate was started by Senator Hoar, who made a vigorous protest against the practice of appointing senators upon such a commission. He said these senators were when appointed acting under the direction of and became duly authorized agents of the President to carry out his ideas and wishes. What became of their functions as senators, he asked, when the report they make, as in the case of the Hawaiian commissioners, came before the senate as a co-ordinate branch of the government?

In the case of the joint high commission now negotiating a treaty with Great Britain, and the peace commission now in Paris, there were the same objections, but applied with greater force. Senators should hold aloof from such positions because their acts as commissioners were to be passed upon by themselves as senators, a very reprehensible practice in the opinion of Mr. Hoar. He insisted that senators acting for the president as a commission which, when dealing with a foreign country had to act as a body, might be placed in the position of supporting a cause which they, as senators, would not support.

The method of appointing senators on commissions was defended by Senators Morgan and Platt, of Connecticut, who claimed there was nothing inconsistent in so doing. The debate then became somewhat general and the constitutional prerogatives of the President and the rights of the senate were discussed at length upon the legal and technical phases of the subject.

Other speakers in the controversy were Senators Chandler and Bacon, in opposition to the too free exercise by the President of the power of appointing senators to other positions. Senator Aldrich was among those who contended for the right of the President to call into service the services for such work as to be done by him in special cases like those of which Senators Morgan, Culbom, Davis, Frye and others were engaged.

Senator Vest was among those who attacked the practice of appointing senators to the place of commissioners especially attacking any intention of personally attacking any senator occupying the position of commissioner. After two and a half hours of discussion the question was referred to the judiciary committee with instructions to investigate and report upon the nomination of the commissioners.

## ANTI-SCALPERS BILL PASSED

By the House of Representatives by the Close Vote of 119 to 101.

WASHINGTON, D. C., Dec. 7.—The first committee called in the house to-day was the committee on inter-state commerce, and Mr. Hepburn called up the anti-scalping bill.

Mr. Hepburn offered to make an arrangement regarding the time to be occupied in debating the bill. Mr. White, (Rep., Ill.), said there was opposition to the measure.

Mr. Adamson, (Dem., Ga.), who made the minority report, was absent. Mr. Bland, (Dem., Mo.), said he desired to raise the question of consideration, but the speaker announced that it was too late. Mr. Bland said that an important bill like this should be debated at length and he objected to the offer of an hour on a side.

All efforts to effect an agreement as to the time failed and Mr. Hepburn was thereupon recognized for an hour. He yielded to Mr. Sherman, (Rep., N. Y.), who explained that the bill was very similar to the one passed by the house during the last Congress. The changes were mainly restrictive upon corporations.

The bill required the carriers subject to the inter-state commerce act to have each agent authorized to sell tickets with a certificate, and made it unlawful for an officer of such carrier to supply tickets to any but authorized agents. It made violation of these provisions a misdemeanor, and provides for the reclamation of unused or partially used tickets and also provides penalties for forging or altering tickets. Mr. Sherman said this legislation had been repeatedly recommended by the inter-state commerce commission, that it had the support of newspapers and that over 3,000 petitions in its favor had been presented to the house during the present Congress. The business communities had come to look upon the ticket brokerage business as illegal. The amount of fraud practiced, if known, would startle any one unfamiliar with the facts.

Mr. Brundridge, (Dem., Ark.) offered an amendment a proviso to the effect that the act should not apply to tickets that are issued by any railroad or other common carrier for the purpose of being transferred. In explaining his amendment, Mr. Brundridge declared that the real purpose of the bill was to prevent certain railroads from placing tickets in the hands of scalpers for the purpose of being transferred. The provision relating to forgery was unnecessary. Every state had statutes against the issue of forged instruments.

Two Sources of Opposition.

Mr. Hepburn in advocacy of the bill, said there were but two sources of opposition to the pending measure, the ticket scalpers, who made money out of the business and certain railroads who succeeded through the scalpers in violating the inter-state commerce law. He said that there were roads which did 55 per cent of their business through scalpers and he appealed to the friends of the bill not to allow the amendment.

Mr. Mann, (Rep., Ill.), said there were some weak roads which would not be able to compete with their strong rivals except through the agency of the ticket brokers. For some years, he said, there has been a movement for the passage of a law to legalize pooling of

freight rates. This was a bill to authorize the railroads to pool their passenger business.

This legislation, he said, was in the interest of the largest and strongest railroads.

Mr. Bland, (Dem., Mo.), said he favored the Brundridge amendment, but was opposed to the bill as a whole. If the amendment prevailed, he thought the friends of the bill would lose interest in it.

The purpose of the bill was to legalize pooling of passenger traffic and to take away from the states as far as possible, jurisdiction on this subject.

The bill was opposed by Messrs. Little (Dem., Ark.); Rodine, (Dem., Mo.); Bartlett, (Dem., Ga.), and Gillett, (Rep., Mass.).

The latter said that all the courts decisions thus far had been in the direction of unconstitutionality of the proposed law. He said scalpers could not do business if the railroads did not supply them with tickets.

The bill criticized.

Mr. Corliss, (Rep., Mich.), said that this bill would not prevent discrimination. It would simply transfer the right to discriminate from the scalpers to the authorized agents. He gave notice of an amendment he would offer to make any authorized agent of a railroad equally liable with an unauthorized agent for selling tickets below published rates.

Mr. Updegraff, (Rep., Iowa), made a warm speech in opposition to the bill. He could not, he said, allow so monstrous a proposition as this bill contained to pass without a word. It ought to be entitled a bill to suppress competition in passenger traffic. He had loved the Republican party, had rejoiced in its achievements. It had done much to elevate mankind and was now riding high on the tide of popularity. This would mark the beginning of its decadence. Its passage would impair in the minds of the masses, the honesty and integrity of the party.

Mr. Marsh, (Rep., Ill.), and Mr. Connelly, (Rep., Ill.), both antagonized the bill in a vigorous manner. Mr. Hepburn, in charge of the bill, replied to its critics. It was not designed to stifle competition. On a rising vote the Brundridge amendment was defeated, 70-33. The vote was then taken by ayes and noes. The amendment was defeated, 101-22. The vote then recurred upon Mr. Corliss' amendment. It was also defeated, 95-60.

The bill was passed, 119-101, the announcement of the result being received with applause. Then, at 4:55, the house adjourned.

## NEW CHAIRMAN

Of Rivers and Harbors Committee—A Bill for This Session.

WASHINGTON, Dec. 7.—At a meeting of the rivers and harbors committee to-day Representative Theodore E. Burton, of Cleveland, was elected chairman to succeed Mr. Hacker, of New York, who recently resigned from Congress to accept judgeship. The choice of Mr. Burton was not entirely a surprise, though Representative Cooper, of Wisconsin, was the ranking member next to the late chairman. As a rule the speaker of the house names all chairmen, but in this case, the selection was left to the committee under an old precedent of the rules.

A caucus of the Republican members of the committee preceded the full meeting. Mr. Cooper stated at the caucus that he did not desire the chairmanship, and after he and Mr. Burton had withdrawn a vote showed five to two for Burton. Following this caucus action the full committee confirmed the choice of Mr. Burton.

When asked as to the outlook for a rivers and harbors bill the new chairman said: "We will certainly have a river and harbor bill at this session of Congress, and the committee will begin work on it at once. The plan is to complete all hearings before the holidays so as to give time for completing the bill as soon after the holidays as possible. Hearings begin next Monday."

## PRESIDENT'S VISIT

To the Atlanta Peace Jubilee—Distinguished Party will Accompany Him.

WASHINGTON, Dec. 7.—The President and members of his party who will attend the peace jubilee exercises at Atlanta, will leave Washington over the Southern railway, Tuesday afternoon, December 13, at 5 o'clock, reaching Atlanta between 8 and 9 o'clock the following morning, spending Wednesday and Thursday in attendance upon the jubilee, where the President will deliver an address and attend the banquet on Thursday evening.

The party will leave Atlanta Thursday at midnight, reaching Tuskegee, Ala., the following morning at 9 o'clock. The party will start for Savannah Friday afternoon, spending Sunday quietly and start on the return trip just after midnight, reaching Macon, Ga., the following morning between 8 and 9 o'clock. Here several hours will be spent in reviewing General Wilson's command, of which about 8,000 troops are stationed at Macon. The party will reach Washington early the following morning, Tuesday, the 20th instant.

Besides the President and Mrs. McKinley, the party will include Secretary Gage and Mrs. Gage, Secretary Alger and Mrs. Alger, Secretary Long and Mrs. Long, Postmaster General Smith and Mrs. Smith, Secretary Bliss and Mrs. Bliss, Secretary Wilson and Mrs. Wilson, Major General Joseph Wheeler, Secretary Porter, Assistant Secretary Cortelyou and Mrs. Adelbert S. Hay.

## Privileges Accorded to Gen. Wheeler.

WASHINGTON, Dec. 7.—Major General Wheeler probably has seen his last active service in the United States army. He was at the war department to-day and had a talk with Secretary Alger and Adjutant General Corbin. It is understood that he will be relieved from further active duty unless there is a recurrence of war, but that he will remain on the active list of the United States volunteer army until that army is mustered out of the service by the declaration of peace. This privilege is accorded to him in recognition of his distinguished services. Mr. Wheeler will leave General Wheeler to exercise his function as a member of the house of representatives during this session.

## Currency Legislation.

WASHINGTON, Dec. 7.—The house committee on banking and currency was to have held its first meeting to-day, but no quorum appeared. Chairman Walker says it is not likely that the committee will have any further hearing on financial affairs, or will take further action in shaping currency legislation. A currency and banking bill framed by a special committee headed by Representative McCarry, of Minnesota, is now on the house calendar, but some difference of opinion exists within the committee as to the regularity with which this bill was reported and steps have been taken to have it withdrawn from the calendar.

## What Else Could They Do.

WASHINGTON, Dec. 7.—The senate in executive session to-day confirmed the appointment of Hon. John Hay, as secretary of state.

## THE ARMY INCREASE.

General Miles' Recommendations Evidently Ignored.

## THE BILL OF CHAIRMAN HULL

Of the Military Committee, Bearing the Approval of the War Department, Introduced in the House—It Provides for a Regular Army of 100,000 men, and Eliminates Many of the Suggestions Made by the Commander-in-Chief of the Army—Some Radical Changes Proposed.

WASHINGTON, D. C., Dec. 7.—Representative Hull, chairman of the house committee on military affairs to-day introduced a bill increasing the regular army to approximately 100,000 men. The bill which was framed at the war department and has the approval of the secretary of war, is not the bill framed by General Miles, as this measure has not the high rank proposed by the Miles bill, and some of the appointments are open to the officers of the volunteers, or from civil life.

It provides for a lieutenant general and what is considered a sufficient increase of majors and brigadier generals to command an army of 100,000 men scattered from Porto Rico to Manila. The artillery is reorganized separating them into coast and field artillery, but promotion to be by seniority of the whole army. A decrease of the enlisted men is made so that the army can be increased by recruits in case of war to full strength. The cavalry is increased two regiments, the infantry five. The enlisted strength of an infantry company is not to exceed 145, so that in case of war new regiments would have to be formed, probably all of which would be volunteers, but the regular army would make a substantial first line. The bill provides for the three battalion formation. The staff corps are increased about forty per cent and with the exception of the adjutant general, inspector general and ordnance are open to appointments from the volunteer or civil life.

The most noticeable change is in that of the medical department, in which provision is made for a hospital corps of 3,000 privates with the necessary non-commissioned officers with a largely increased number of surgeons and assistant surgeons. All officers and men serving in the sub-tropical countries are to have an increase of 25 per cent in pay. Under the immediate control of the President, inhabitants of the new countries may be enlisted in the organizations there serving.

The bill gives a total of fourteen regiments of artillery, twelve of cavalry and thirty of infantry.

## Chairman Hull's Bill.

Chairman Hull's bill is cast on entirely different lines from General Miles' bill so that detailed comparison is difficult. The Miles bill is based on the theory of one soldier for 1,000 population, while the Hull bill is based on the organization being constructed so as to reach that total. General Miles provides for a general and two lieutenant generals, while the Hull bill makes no provision for a general, and has but one lieutenant general. Other important differences are:

Hull bill, thirty regiments of infantry; Miles bill, fifty regiments of infantry; Hull bill, twelve regiments of cavalry; Miles bill, fifteen regiments of cavalry; Hull bill, a corps of artillery; Miles bill, fourteen regiments of coast artillery and two regiments of field artillery. The Hull bill in its first section sums up for the reorganized army as follows:

One lieutenant general, six major generals, twelve brigadier generals, twelve regiments of cavalry, a corps of artillery, thirty regiments of infantry. An adjutant general's department, a judge advocate general's department, a quartermaster's department, a subsistence department, a medical department, pay department, a corps of engineers, an ordnance department, a signal corps, thirty post chaplains, the chief of the record and pension office, the offices of the army on the retired list, the professor's corps of cadets, an army service detachment and band at the United States military academy; and such other officers and enlisted men as may hereinafter be provided for.

## Some of the Changes.

The regimental organization of the artillery arm of the army is discontinued and that arm is designated as the corps of artillery. The distinction between coast and field artillery is similar to the Miles bill, but more elaborate in detail. The Atlantic division of the coast is defined to include "the Atlantic and the Gulf seaboard and the coast of the Great Lakes and shall ultimately include the coast line of the West Indian possessions of the United States."

The Pacific division is defined to include the coast line of the various possessions of the United States in the Pacific ocean.

The corps of artillery embraces 144 batteries of coast artillery and twenty-four field batteries. Each regiment of infantry consists of twelve companies, organized into three battalions of four companies each. The company strength, in addition to commissioned and non-commissioned officers, is 112 men. In various staff corps, express provision is made that persons who have served as officers in the volunteer army in the war with Spain and persons in civil life may be appointed to various specified grades.

Section 16, is as follows: Organizations serving in Cuba, Porto Rico and the islands of the Pacific may, in the discretion of the president, be recruited in whole or in part from the inhabitants thereof, to whom the legal restrictions upon enlistments in the army as regards terms of service, age, citizenship and other qualifications shall not apply and who shall be entitled to such pay and allowances not exceeding those now authorized as the President may direct."

## The Effervescent Parisians.

PARIS, Dec. 7.—An exciting incident took place to-night at the opening of the new Opera Comique which replaces the structure recently destroyed by fire. The house was opened with a performance of "Dame Blanche" in the presence of a brilliant audience, including M. Faure, members of the cabinet, senators, deputies, Russian grand dukes and all the leading diplomatic, artistic and literary notabilities in Paris. President Faure's arrival was signalled by shouts of "Vive l'Armee" which were answered by shouts of "Vive Picquart!"

The rival crowds came into collision and there was some fighting.

## A MARKED CONTRAST

In the Manner of Receiving American Officers—Captain General Castellanos' Reception of General Wade.

HAVANA, Dec. 3, (Via Key West, Fla., Dec. 7.)—The official visit of General Wade, as president of the Cuban evacuation commission, to Captain General Castellanos at the palace to-day, was marked by a display of official military courtesy and honors fully in keeping with the rank of the visiting officer, and in sharp contrast with the system which prevailed under the regime of Captain General Blanco, when these ceremonies were totally disregarded. During the latter's term of office, visiting generals and admirals of the United States on reaching the palace entrances were forced to elbow their way through the group of lounging soldiers always abounding about the palace doors and court yard. Their exit heretofore had been as unceremonious as their entrance.

A meeting of the two officials was of a most cordial nature and expressions of mutual regard were exchanged. General Wade was accompanied by his entire staff, all attired in full dress uniform, and the party presented a brilliant and imposing appearance.

A petition, purporting to represent the sentiment for 200 Spaniards remaining in Cuba and which is addressed to the quipera here. Asserting that the accession of authority by the United States has been attended in Porto Rico by acts of violence, which may be repeated in Cuba, the petitioners ask that the Spanish government demand with firmness a solid and responsible guarantee from the United States or "make an alliance with some European power to insure our protection."

The departure of Captain General Blanco it has been reported that he decreed that the name of Weyler street should be changed to Obispo street, the designation it formerly bore. The change was not made known until after the sailing of General Blanco, and the populace were disposed to attribute the act to Castellanos, the new captain general. The latter expressed great indignation at the course of General Blanco in the matter.

## THE PEACE TREATY.

No Joint Sessions Yesterday—The End is in Sight.

PARIS, Dec. 7.—There was no joint session of the peace commissions to-day as the Spaniards are still occupied in translating the Americans' answer to their proposal in regard to the status of Spanish subjects in the annexed territories.

Ascribed last evening, the eight principal articles of the treaty are settled and all that remains for the commissions to attend to is the settlement of minor points of the treaty. The latter will probably be signed on Saturday next, for the Spaniards are as anxious as the Americans to finish the work in hand.

Secretary Ojeda, of the Spanish commission, said to-day: "It is very painful for us to remain here haggling over details, since the main points have been settled and we have been obliged to relinquish our colonies."

"All the work will be finished this week. The commercial treaty between the United States and Spain will be the golden link in the re-establishment of diplomatic relations, and the question of Spanish ships and products in Cuba and Porto Rico will be included therein."

## IN THE PHILIPPINES.

Native Press Well-Headed—Aginaldo and Advisers Temperate.

MANILA, Dec. 7.—The native press continues to advocate independence and a reimbursement to the United States government of the amount to be paid Spain for the Philippines. The independence thinks this course the only just one. It insists that the Filipinos have aided the Americans solely because they believed they were fighting for independence. The paper quotes liberally from President McKinley's last speech in Chicago to support its contention that the Americans are pledged to give the Filipinos independence.

Chief Aguinaldo and his principal advisers fully recognize the importance of strong protectorate in some form. One of the latter has even ventured the assertion that if the Filipinos were granted independence in accordance with the demand of the leaders, the United States would be immediately asked to establish a protectorate, as otherwise the Philippines must sooner or later become the prey of a less liberal minded country.

This statement is borne out by the attitude of the better class of Filipinos in the vicinity of Manila. The numerous stories as to hostility felt and displayed on their part toward the Americans are without foundation. The United States authorities expect on the part of the natives a peaceful acceptance of the inevitable.

## IN PORTO RICO.

General Henry is Pushing Things on an American Basis.

SAN JUAN DE PORTO RICO, Dec. 7.—General Guy V. Henry, the governor of the military department of Porto Rico, is beginning energetically. He intends to hold elections of mayors and councilmen in every town and if necessary to secure fairness the elections will be under military supervision.

He will appoint a commission to compel the local courts to bring to trial and punish persons now in detention on charges of incendiarism and assault. This measure will be actively pushed. Another proposal of General Henry is to send his representatives to the various mayors to gain their co-operation.

Captain Lemly, of the Seventh Artillery, has been detailed to visit the schools with a view of installing American teachers.

## Santiago Shocked.

SANTIAGO, Dec. 7.—Santiago experienced a severe earthquake shock last night, frightening many and destroying a large quantity of crockery. Many of the Americans, not understanding what had happened, were considerably alarmed. A few people ran into the streets in a state of disarray. The shock lasted several seconds.

Returned to Their Nests.

HONG KONG, Dec. 7.—General Rieuwolt and Dr. Ledajaluna, representatives of the Filipino junta, started to-day for Washington under instructions "to endeavor to remove misapprehension and suspicion, and cultivate the friendly relations with the American government and people."

## THE STATE FAIR CASE

Now Under Consideration by the Trotting Association

## AND DECISION IS NOT EXPECTED

For Some Time—Secretary George Hook Talks of the Circumstances that Attended the Entering of the Complaint Against the State Fair Association—It was a Custom Long Followed at Fairs in this Valley.

Secretary George Hook, of the West Virginia State Fair Association, returned yesterday morning from New York, where, with Messrs. Paul O. Raymond and Robert Anderson, he attended the sessions of the board of review of the National Trotting Association, which heard testimony in the case of alleged suppressed time at the 1898 state fair in this city. As stated in yesterday's Intelligencer, the board has taken the matter under consideration and will not reach a decision for some time.

The case arises out of the observance of a custom long in vogue at nearly all of the fairs conducted in this section, including western Pennsylvania and eastern Ohio—the custom of allowing the timers to announce the time of trotting and pacing races from a quarter to a second longer than the actual time made. Horsemen have asked this in order to keep their horses in what they claimed to be their proper classes. The local association accommodated itself to this custom simply because it was a custom and was earnestly desired by many of the horsemen.

It seems the National Trotting Association last fall selected three Wheeling men as a supervising committee at the West Virginia state fair, whose duty it was to take the time in each race and report to the association. This committee was made up of Messrs. A. M. Hamilton, John Waterhouse and Thomas M. Debrah, and Mr. Skinner, of Fairmont, acted with them. Of this committee, Mr. Hamilton attended the hearing just closed at New York, and testified to what he and his associates had done.

In the hearing it was brought out that the committee's time in the races which they timed was from one-quarter to two seconds faster than the time announced by the official timers. This was known to the association immediately after the races here, and resulted in the suspension of the state fair track and of ten horses which had won first, second or third monies here. The horsemen had to pay a fine of \$100 each before they were qualified to start in races after those here. They were punished arbitrarily, though in some cases they were not aware of the custom that is followed in this valley. Naturally there was considerable kicking on the part of the suspended horsemen, and the local association came in for some hard knocks from them.

In the hearing at New York on Tuesday, the state fair officials held that the trotting association's committee was seated in one end of the grand stand, far away from the wire, where they were not in a position to take time that would be received as correct against the time announced officially.

The penalty, which will no doubt be imposed on the local association, is a fine of \$100, of which half goes to the person making the information to the trotting association.

In the future, says Secretary Hook, the actual time will be recorded in all races here.

## OSCAR GARDNER ACQUITTED

And is Given a Warm Reception by Wheeling Friends This Morning.

COLUMBUS, O., Dec. 7.—Oscar Gardner was to-day acquitted by a jury of the charge of prize fighting. On April 7 last he engaged in a glove contest with George Stout, during which the latter fell or was knocked down, his head striking the floor and injuring Stout so that he died. An attempt was made to indict Gardner for manslaughter, but unsuccessfully, the grand jury returning an indictment for prize fighting.

## RECEPTION TO GARDNER.

Oscar Gardner was royally welcomed back to Wheeling early this morning by about forty of his friends, who treated him to a surprise at Berry Merchant's cafe. Oscar, with his manager, P. H. Sullivan, of New York, arrived in Wheeling at 1:45 a. m. from Columbus. He was met at the Baltimore & Ohio depot by an escort consisting of Jack Arthur, William Winder and Philip Maurer.

At the cafe the invited guests were assembled in the dining hall, and all kept silent in the darkest room until Gardner was ushered in. Then the lights were turned on, the crowd burst into the chorus of "He's a Jolly Good Fellow," and the clearest and least amusing little boxer in the world received a temporary knockout. He was up before the "count" and handshakings kept him busy for some time.

Then followed an elegant spread of all the delicacies, wet and dry. Brief speeches brought the affair to a close. Those present included the most prominent patrons of boxing and representatives of the press.

The pleasant affair was a splendid testimonial to a representative boxer, and it shows the place Oscar Gardner holds in the hearts of local lovers of boxing.

## An Attempted Burglary.

A bold attempt to burglarize Mrs. Rebecca Harden's boarding house, North Main street, was made this morning about 2:30 o'clock, but was unsuccessful. Mrs. Harden grappled with the burglar, who tried to choke her, but he fortunately was foiled. He left one of his shoes behind when he escaped. Nothing was taken from the house. The attempted robbery created no little excitement.

## Bills Introduced by Senator Elkins.

WASHINGTON, Dec. 7.—Senator Elkins to-day introduced bills extending the laws of the United States relating to customs, commerce and navigation to the Hawaiian Islands and to Porto Rico. Honolulu is designated as the port of entry for Hawaii, but the port for Porto Rico is not named. The commissioner of navigation is authorized to make regulations for the nationalization of vessels owned by residents of the islands.

## Why, of Course He Is.

PRINCETON, N. J., Dec. 7.—Former President Grover Cleveland was interviewed to-day on the new policy of the United States and dictated the following for the Associated Press: "Without going at all into details, I wish to say that I am ardently opposed to every feature of this annexation and expansion policy. The public ought to know pretty well what my convictions are from my action on the Hawaiian question during my administration. I have not changed my mind and remain opposed to all this annexation, from Hawaii to the Philippines."

## DIVIDED COURT

Holds up the Monroe County Case—Refuses to Take Matter up out of Regular Order. Via's Last Resort.

SPECIAL DISPATCH to the Intelligencer. CHARLESTON, W. Va., Dec. 7.—George W. McClintic, and General Edgar P. Rucker, counsel for C. M. Via, Republican candidate for member of the house of delegates from Monroe county, appeared before the supreme court of appeals to-day, and moved that the case of Via against the county commissioners of Monroe county and Joseph D. Logan, the Democratic candidate, be taken up out of its order and be heard immediately.

The case was taken to the supreme court on a petition by Logan's attorneys for a writ of error from the rulings of Judge J. M. McWhorter, of the eleventh judicial circuit, who decided that 73 votes the county court refused to count, were good and lawful ballots and ought to be counted. Of these 41 were for Via, and 32 for Logan. Under the decision Via was entitled to have his name entered upon the rolls by the secretary of state, as a member of the legislature.

The supreme court on Saturday last granted the writ of error, prayed for by Logan's attorneys, who were Judge A. N. Campbell, of Union, and John H. Holt, of Huntington. Ordinarily a writ of error taking its regular course, will not be reached for argument within six months, but the exigencies of the case require a speedy hearing. A motion was made that it be taken up at once, as stated above.

The court declined to do so by a divided vote. Justices Dent and English holding that a writ of error could not be taken up out of its order except by consent of all the parties concerned, and Judges McWhorter and Brannon, taking the opposite view. According to the ruling the case will not be settled by the court until after the adjournment of the legislature.

General Rucker, counsel for Mr. Via, is of the opinion that the proper method of procedure for Mr. Via, is to present to the secretary of state a copy of Judge McWhorter's order, showing that he received 1,251 votes, against 1,267 cast for Mr. Logan, and that the secretary of state, whose duty it is to make up the rolls of members of the house, should exercise his judgment as to which one of the contestants should have his name placed on the rolls.

## ZIONIST MOVEMENT

Receives No Encouragement from Union Congregations.

RICHMOND, Va., Dec. 7.—At to-day's session of the union of American Hebrew congregations in convention here, the chief interest centered in the reports of the committees on the Hebrew union college and the Zionist movement. The report of Zionist movement was submitted as follows: "The union of American Hebrew congregations, in convention assembled, in view of the active propaganda being made at present for the so-called move, deem it proper and necessary to put itself on record as follows: We are unalterably opposed to political Zionism. The Jews are not a nation, but a religious community. Zion was a precious possession of the past, the early home of our faith, where our fathers uttered their world-abiding thoughts and our psalmists sang their world enchanting hymns. 'As such it is a holy memory, but it is not a hope of the future. America is our Zion, and Washington our Jerusalem.'"

The report precipitated a heated discussion, in which nearly all the delegates took part. Finally Dr. David Philipson said that the report had aroused so much interest, and so many requests had been made, that the committee had determined to make the following addition and change: "While we are aware of and deplore the abject condition to which many of our brethren are subjected in their native lands and that have naturally but unfortunately aroused in some of them a yearning for a re-establishment of Zion, yet we delegates of the Union," etc. Then follows the original resolution with the words "And Washington our Jerusalem" stricken out. The report of the committee on accounts showed that at present ninety-one congregations constitute the union.

## The Whirlwind of Time.

SANTIAGO DE CUBA, Dec. 7.—To-day is the anniversary of the death of General Antonio Maceo, and has been celebrated among the Cubans in Santiago. A memorial service was held this morning in the cathedral, which was crowded. Less than two years ago the same cathedral witnessed a solemn sung by the same choir in celebration of Maceo's death. Then the cathedral was draped with Spanish colors. To-day the entire edifice was in black, interpered with a few Cuban emblems.

Considerable annoyance was occasioned to the United States authorities by the fact that some seventy-five men, Cubans, marched the entire length of St. Thomas street armed with rifles and machetes, although all Cubans are well aware that such conduct is strictly against the regulations, armed bodies, other than United States troops, not being allowed.

## Bicycle Race.

NEW YORK, Dec. 7.—The largest crowd that has gathered to watch the riders in the six day bicycle race, filled Madison Square Garden to-night. All the seats and boxes were filled by 7:30 o'clock and large crowds gathered in the center of the ring.

At midnight the score was: Miller, 1,145; Pienoz, 1,127.4; Waller, 1,131.1; Albert, 1,128; Stevens, 1,095; Gimm, 1,035.1; Nawn, 1,005.1; Hale, 990.2; Aronson, 982.7; Lawson, 1,003.4; Forester, 946.8; Shinger, 931.5; Joyous, 925; Julius, 896.5; Pinkington, 863.2.

## March Plans Gaily.

PHILADELPHIA, Dec. 7.—Gideon W. Marsh, former president of the looted Keystone National Bank, the disastrous failure of which institution was publicly announced March 20, 1891, today pleaded guilty before Judge Butler in the United States district court to indictments charging him with conspiracy with Cashier Lawrence in misapplying the funds of the bank and making false reports as to the bank's condition to the comptroller of the currency. He was remanded for sentence until next Tuesday.

## Movements of Steamships.

SOUTHAMPTON—Arrived: St. Paul, New York.

LIVERPOOL—Arrived: Teut